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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,753	02/13/2004	Shunsuke Minami	N9450.0054/P054-A	5318
24998	7590	07/27/2004	EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 2101 L STREET NW WASHINGTON, DC 20037-1526			ORTIZ RODRIGUEZ, CARLOS R	
			ART UNIT	PAPER NUMBER
			2125	

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/777,753	MINAMI ET AL.
Examiner	Art Unit	
Carlos Ortiz-Rodriguez	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 13 February 2004.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-10 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-10 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 13 February 2004 is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. 10/173,018.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892) .
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/13/04.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to because element 505 of figure 5 is labeled as "Take out chile..." and it seems to be "Take out child...". Also, element 705 of figure 10 is labeled as "Take out chile..." and it seems to be "Take out child...".

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 4 and 10 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim provides for a parts selection supporting program to be executed by a computer. The description or expressions of a program are not physical "things". The descriptive material of the program should be recorded on some computer-readable medium.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-10 rejected under 35 U.S.C. 102(b) as being anticipated by Phillips et al. U.S. Patent No. 4,835,683.

Regarding claim 1, 7 and 10 Phillips et al. discloses a parts selection supporting system comprising: display means(see abstract lines 12); product construction storage means for storing product construction; parts classification storage means for storing classification of parts(see col 3 line 5 and lines 23-25) ; construction display data generation means for reading out product construction data from said product construction storage means and displaying a list of parts forming a product or a partial assembly input by an operator; and parts classification display data generation means for reading out information relating to classification of the parts from said parts classification storage means(see col 3 lines 32-38), displaying tree form according to hierarchy of classification and displaying a list of parts of the same classification of as designated parts or partial assembly by displaying tree form in hierarchy of classification on said display means(see col 3 lines 1-13), said construction display data generating means generating a display data including a switching command for switching to a part classification display screen image including individual parts together with said list of parts(see col 3 lines 50-60 and see col 11 lines 7-17 and fig 5a).

Regarding claims 2 and 8, Phillips et al. further discloses a parts selection support system, which further comprises: product construction reverse tree display data generating means for displaying upper level assembly and/or product using designated parts or assembly in tree

form(see col 3 lines 1-13), and said parts classification display data generating means generates the display data including a switching command for switching to a product construction reverse tree display screen image designating each parts(see col 3 lines 1-13),

Regarding claims 3 and 9, Phillips et al. further discloses a parts selection support system as set forth in claim 1, which further comprises: parts data storage means for storing parts information; and data taking means for reading data from said parts data storage means and updating or adding data of said parts classification storage means(see col 11 lines 37-51).

Regarding claim 4, Phillips et al. further discloses a parts selection supporting method comprising: construction display data generation step of reading out product construction data from product construction storage means storing parts construction of a product and displaying a list of parts forming the product or a partial assembly input by an operator(see col 12 lines 53-57) ; parts classification display data generation step of reading out classification of parts of parts classification storage means for storing information relating to classification of parts for displaying in tree(see fig 5a) form and displaying a list of the parts in the same classification, in said construction display data generation step, a display data including a switching command to said parts classification display screen image including individual parts together with a list of said parts(see col 13 lines 37-44).

Regarding claim 5, Phillips et al. further discloses a parts selection supporting means as set forth in claim 4, which further comprises: product construction reverse tree display data

generating step of reading out the product construction data from said product construction storage means and displaying upper level assembly and/or product using designated parts or assembly in tree form(see col 3 lines 1-13),, in said parts classification display data generating step, a display data including switching command for switching to a product construction reverse tree display screen image designating each parts(see col 3 lines 1-13).

Regarding claim 6, Phillips et al. further discloses a parts selection support means as set forth in claim 4, which further comprises a step of reading out parts data from parts data storage means storing parts information(see col 12 lines 53-57), and updating or adding data of said parts classification storage means(see col 17 lines 1-9).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to part selection aiding system:

- a. U.S. Pat. No. 5,339,247 to Kirihara et al., which discloses distributed data CAD system.
- b. U.S. Pat. No. 5,432,904 to Wong, which discloses auto repair estimate, text and graphic system.
- c. U.S. Pat. No. 5,764,519 to Tsukishima et al., which discloses method and device for computing material requirements.
- d. U.S. Pat. No. 6,226,561 to Tamaki et al., which discloses production planning system.

The following publications are cited to further show the state of the art with respect to part selection aiding system:

- e. U.S. Pub. No. 2002/0052666 to Fukatsu et al., which discloses system for providing product environment information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Ortiz-Rodriguez whose telephone number is

(703) 305-8009. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (703) 308-0538. The central official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Carlos Ortiz-Rodriguez
Patent Examiner
Art Unit 2125

cror

July 21, 2004

Albert W. Paladini 7-22-04
ALBERT W. PALADINI
PRIMARY EXAMINER